



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

HD:hd
Docket No: 01606-00
21 March 2000

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: LT [REDACTED] DC, USNR, [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 29 Feb 00 w/attachment
(2) BUMED ltr dtd 15 Dec 99
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show his date of rank in the grade of lieutenant as 23 October 1993, to reflect his active duty time in the U. S. Army; and that his lineal precedence be adjusted accordingly. His current date of rank is 21 May 1995.

2. The Board, consisting of Messrs. Ensley and Schultz and Ms. Moidel, reviewed Petitioner's allegations of error and injustice on 16 March 2000, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence attached as enclosure (2), the Bureau of Medicine and Surgery office with cognizance over the subject matter of this case has commented to the effect that Petitioner's request has merit and warrants favorable action.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

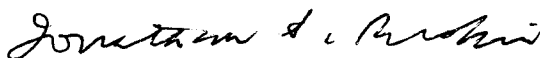
a. That Petitioner's naval record be corrected, where appropriate, to show his date of rank in the grade of lieutenant as 23 October 1993; and that his lineal precedence be adjusted accordingly.

b. That any material or entries inconsistent with the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

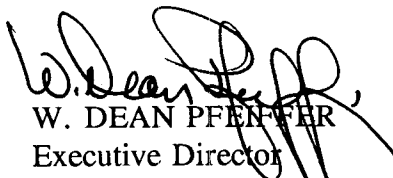
c. That a copy of this Report of Proceedings be filed at an appropriate location in Petitioner's naval record, and that another copy of this report be returned to this Board, together with any material directed to be removed from Petitioner's record, for retention in a confidential file maintained for such purpose.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


JONATHAN S. RUSKIN
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.


W. DEAN PFEFFER
Executive Director



DEPARTMENT OF THE NAVY
BUREAU OF MEDICINE AND SURGERY
2300 E STREET NW
WASHINGTON DC 20372-5300

IN REPLY REFER TO

1120

Ser 522/00-5919

15 Dec 99

From: Chief, Bureau of Medicine and Surgery
To: Board for Correction of Naval Records

Subj: ADVISORY OPINIONS ICO [REDACTED] C, USNR,
[REDACTED]

Ref: (a) Army National Guard Current Annual Statement for LT
[REDACTED]
(b) SECNAVINST 1120.13A

Encl: (1) BCNR Application ICO [REDACTED]

1. Enclosure (1), provided to MED-52 by member, is forwarded with the advisory opinion that Lieutenant [REDACTED] Date of Rank for Lieutenant should be 23 October 1993.

2. Per reference (a), the following information was obtained: Lieutenant [REDACTED] served on active duty in the U.S. Army from 3 June 1988 to 31 July 1991. He entered dental school as an Ensign under Health Professions Scholarship Program (HPSP) in March 1994 and graduated on 21 May 1995.

3. His current DOR for Lieutenant is listed as 21 May 1995. Per reference (b), he should be credited with 1 year, 6 months, 29 days of entry grade credit to reflect his 3 years, 1 month, 28 days on active duty as a commissioned officer in the Army in an active status other than as a dental officer. His DOR for lieutenant should be ~~23 November~~ 1993. **A.D. OCTOBER**

4. Your point of contact is Commander [REDACTED] NC, USN, who may be reached at [REDACTED]

By direction